

840

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

NAOMI RIGSBY

Complainant

VS

LEONARD RIGSBY

Respondent

and Answer of Defendant

This cause coming on to be heard was submitted upon Bill of Complaint, ~~DEMAND FOR CONFESSION~~

on _____ and Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,

and that the said Naomi Rigsby
is forever divorced from the said

Leonard Rigsby

for and on account of Cruelty

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that Naomi Rigsby and Leonard Rigsby
be, and ~~they are~~ hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Naomi Rigsby
the Complainant pay the cost herein to be taxed, for which execution may issue.

This 18th day of July, 1942
[Signature]
Judge Circuit Court, in Equity.

I, _____, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the _____ day
of _____, 19 _____

Register of Circuit Court, in Equity.

No. 840 Page

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

vs. Complainant.

Respondent.

DIVORCE DECREE

2nd July 20 1942
Forester
Gee

[Faint, illegible text from the reverse side of the document, appearing as bleed-through.]

NAOMI RIGSBY

Complainant

-vs-

LEONARD RIGSBY

Respondent

)
) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA
)
) IN EQUITY.
)

Comes your Complainant, Naomi Rigsby, and exhibits this, her Bill of Complaint for divorce against Leonard Rigsby and shows unto your Honor and this Court as follows:-

FIRST:

That your Complainant is over the age of twenty-one years and is a bona fide resident of the State of Alabama, having therein resided for more than ten years, her present address being Foley, Alabama; that the Respondent is over the age of twenty-one years and is a resident of Foley, Alabama.

SECOND:

That your Complainant and the Respondent were married on, heretofore, to-wit, September, 1, 1934 and lived together as man and wife until May 30, 1942, when because of the matters hereinafter complained of, your Complainant was compelled to live separate and apart from the Respondent; that the Respondent struck your Complainant with his fist and committed actual violence on her person attended with danger to her life and health; that he used abusive and offensive language and threatened her with violence.

PRAYER FOR PROCESS AND RELIEF.

THE PREMISES CONSIDERED, your Complainant prays that Leonard Rigsby be made a party defendant to this cause by the usual process of this Honorable Court requiring him to plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided; that upon a final hearing of this cause that your Complainant be granted a divorce from the said Respondent; and that your

(page two)

Complainant be given the right to remarry. Should your Complainant be mistaken in the relief prayed for that there be granted to her such other, different and general relief to which she may be entitled, and as in duty bound she will ever pray.

Hyland, Clason & Clason
Solicitors for Complainant.

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT

TO Jettie Terrell

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Naomi Rigsby and Mrs. S. A. Presley,

as witnesses in behalf of Complainant, in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Naomi Rigsby is

Complainant

and

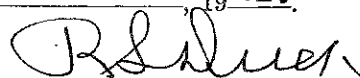
Leonard Rigsby is

Defendant,

on oath to be by you administered, upon

to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 11th day of July 1942.



REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

NAOMI RIGSBY,
Complainant,

-vs-

LEONARD RIGSBY,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Comes the respondent, Leonard Rigby, and denies the allegations of the Complaint, and each and every count thereof, filed in the above styled cause, and demands strict proof thereof. The Respondent waives service, taking of testimony, and notice of submission of said cause.

Leonard Rigby

NAOMI RIGSBY

VS.

LEONARD RIGSBY

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,

Testimony of Naomi Rigsby and Mrs. S. A. Presley
and request for decree in vacation.

and in behalf of Defendant upon

Dylant Clayton Carter
Register.
Attorney for Complainant

REQUEST FOR DECREE IN VACATION

Printed by The Baldwin Times

State of Alabama,
Baldwin County.

} NO. _____ TERM, 194__.

NAOMI RIGSBY

Complainant—.

VS.

LEONARD RIGSBY

Respondent—.

TO R. S. DUCK, REGISTER:

In the above stated cause a Bill of Complaint and Answer
having been filed ~~the respondent~~,
and evidence having been taken, and the cause being ready for submission for final decree, and
no defense having been interposed, the complainant—, by her
Solicitor— of record, now files with the Register of this Court this written request to deliver the
papers in this cause to the Judge for final decree in vacation.

W. H. Chason & Chason
Solicitor— for Complainant—.

NO. 840

Naomi Rigsby

Complainant—

VS.

Leonard Rigsby

Respondent—

Request For Decree In Vacation

Filed July 14, 1942

R. R. Rigsby
Register.

RECORDED

No. 840

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Naomi Rigby

VS.

Leonard Rigby

NOTE OF TESTIMONY

Filed in Open Court this 14

day of July 1943

W. H. Rigby
Register.

IN THE COURT OF
GENERAL SESSIONS
OF THE STATE OF ALABAMA
IN AND FOR THE COUNTY OF...

COMPLAINT
OF...

- 2 -

IN WITNESS WHEREOF
I have hereunto set my hand and seal
this...

Julius July 13/1945
Beauchamp

Wherefore the respondent, James H. ...
petitioner of the complaint, and each and every ...
filed in the above styled cause, and awards ...
of the respondent within thirty days of the date of ...
notice of execution of said award.

840

NO.

840

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Complainant

VS.

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

THE STATE OF ALABAMA
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

NAOMI RIGSBY

COMPLAINANT

VS.

LEONARD RIGSBY

RESPONDENT

I, Jettie Terrell

as Register and Commissioner

have called and caused to come before me Naomi Rigbsby and Mrs. S. A. Presley

witness— named in the Requirement for Oral Examination, on the _____ day of _____

19____, at the office of Hybart, Chason & Chason

in Foley, Alabama, and having first sworn said witness— to speak the truth,

the whole truth, and nothing but the truth, the said Naomi Rigbsby and

Mrs. S. A. Presley, doth depose and say as follows:

My name is Naomi Rigbsby, I am 21 years old and a resident of Foley, Baldwin County, Alabama. I married Leonard Rigbsby on September 1st, 1934, and we lived together most of the time until May 30, 1942. He came in that night, drinking, and he got mad with me, knocked me over a chair and kicked me after I was on the floor. The markd stayed on me for weeks where he had kicked me. I had him put under a peace bond so that he would stay away from me and leave me alone. He first started cursing me out up town in a resturant, and a good many people heard him, but he didn't hit me until we were home. This is ~~tk~~ not the first time that he has done that. Before our first baby was born, right after we were married, he jumpd on me, and he has been doing it ever since, until I just can't stand it any more. I'm afraid that some-time he is going to kill me. He has threatened to do it enough, and sometimes it seemed like he was trying.

Mrs Naomi Rigbsby

ORAL EXAMINATION

I, Jettie Terrell, as Register and Commissioner hereby certify that the foregoing deposition— on Oral Examination was taken down in writing by me in the words of the witness— and read over to them and they signed the same in the presence of myself _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness— or had proof made before me of the identity of said witness—; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 13th day of July, 1942.

Jettie Terrell (L. S.)

No. 548 Page _____

THE STATE OF ALABAMA
Baldwin County

IN CIRCUIT COURT, IN EQUITY

NAOMI RIGSBY

Complainant

Vs.

LEONARD RIGSBY

Respondent

ORAL DEPOSITION

Filed July 14, 1942
[Signature], Register

RECORDED IN _____
Record _____

Vol. _____ Page _____
Register _____

My name is Mrs. S. A. Presley, I am over the age of twenty-one years, and a resident of Foley, Baldwin County, Alabama. I live just across the street from Leonard Rigsby's house and know both he and his wife well. I have never seen Leonard Rigsby strike his wife, but on several occasions I have heard him curse and abuse her. I have been sitting on my front porch and have heard him threaten to beat her, and hear sounds as if he was. He never seemed to mind how loud he talked, and I couldn't help hearing them. On May 31st, 1942, on Sunday Morning, I saw Naomi Rigsby, after having heard them fighting Saturday night, and she was limping, and had a black eye. I am sure from the way he was hollering at her and cursing her that Saturday night, that he beat her up pretty bad.

Mrs. S. A. Presley
†